

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**R.R. STREET & CO. INC. and
NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA, as
subrogee of R.R. Street & Co. Inc.
Plaintiffs,**

v.

**VULCAN MATERIALS COMPANY, n/k/a
LEGACY VULCAN CORP.,
Defendant.**

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**Case No. 1:08-CV-01182
Judge: Hon. Virginia M. Kendall
(Jury Requested)**

RE-NOTICE OF MOTION

TO: Richard C. Godfrey, P.C.
Matthew T. Regan, P.C.
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Chicago, Illinois 60601

Bryan G. Schumann
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On Monday, July 21, 2008, at 9:00 a.m., or as soon thereafter as counsel may be heard, I, or someone acting on my behalf, shall appear before the Honorable Virginia M. Kendall or any Judge sitting in her stead, in Courtroom 2319 of the Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, Illinois, 60604, and there and then present R.R. Street & Co. Inc.'s Motion for Leave to File Surreply in Response to Legacy Vulcan Corp.'s Motion to Dismiss or, in the Alternative, Stay Plaintiffs' Amended Complaint, a copy of which has previously been filed (Docket No. 33) and served upon you.

Dated: July 15, 2008.

Respectfully submitted,

HICKS, THOMAS & LILIENSTERN, LLP

/s/ John B. Thomas

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**ATTORNEYS FOR PLAINTIFF,
R.R. STREET & CO. INC.**

PROOF OF SERVICE BY E-MAIL

The undersigned, an attorney, states and certifies that a true and correct copy of the aforementioned document was served upon the above parties electronically via the U.S. District Court's ECF system on July 15, 2008.

/s/ John B. Thomas